

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

1-2. (Cancelled)

3. (New) A radio communication method of a base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the radio communication method comprising:

transmitting code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations, wherein

the timing information includes an integer representing a frame at which the first code is switched to the second code.

4. (New) A radio communication method of a base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the radio communication method comprising:

transmitting code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations, wherein

the timing information regards timing of switching the first code to the second code.

5. (New) A base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the base station controlling apparatus comprising

a code switch informing unit configured to transmit code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations, wherein

the timing information includes integer representing frame at which the first code is switched to the second code.

6. (New) A base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the base station controlling apparatus comprising

a code switch informing unit configured to transmit code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations, wherein

the timing information regards timing of switching the first code to the second code.